

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

**v.**

**AMERINDO INVESTMENT ADVISORS INC.,  
AMERINDO INVESTMENT ADVISORS, INC.,  
AMERINDO ADVISORS UK LIMITED,  
AMERINDO MANAGEMENT INC.,  
AMERINDO TECHNOLOGY GROWTH FUND, INC.,  
AMERINDO TECHNOLOGY GROWTH FUND II, INC.,  
TECHNO RAQUIA, S.A.,  
ALBERTO W. VILAR, and  
GARY ALAN TANAKA,**

**Defendants.**

**05 Civ. 5231 (RJS)**

**ECF CASE**

**NOTICE OF MOTION OF PLAINTIFF SECURITIES AND  
EXCHANGE COMMISSION FOR PARTIAL SUMMARY JUDGMENT  
AGAINST DEFENDANTS ALBERTO W. VILAR AND GARY ALAN TANAKA**

PLEASE TAKE NOTICE that upon the declarations of Neal Jacobson and James Meixner submitted herewith, the statement of undisputed material facts, and all prior proceedings in this case, the plaintiff, Securities and Exchange Commission ("Commission"), will move this Court, on October 19, 2012 at 2:30 p.m., before the Honorable Richard J. Sullivan, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, for an order granting the Commission partial summary judgment against defendants Alberto W. Vilar and Gary Alan Tanaka.

PLEASE TAKE FURTHER NOTICE that all papers to be submitted in opposition to this motion shall be filed with the Court and served upon the Commission no later than September 7, 2012.

PLEASE TAKE FURTHER NOTICE that if no papers are submitted in opposition to this motion, the Court may grant the motion without any further notice or hearing.

Dated: New York, New York  
August 3, 2012

Respectfully submitted,

/s/ Neal Jacobson

By: Neal Jacobson

Mark D. Salzberg

Securities and Exchange Commission

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